

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CELSIUS NETWORK INC., a corporation,
CELSIUS NETWORK LLC, a limited
liability company, CELSIUS NETWORKS
LENDING LLC, a limited liability company,
CELSIUS LENDING LLC, a limited liability
company, CELSIUS KEYFI LLC, a limited
liability company, CELSIUS MINING LLC, a
limited liability company, CELSIUS US
HOLDING LLC, a limited liability company;
CELSIUS US LLC, a limited liability
company; CELSIUS MANAGEMENT
CORP., a corporation;

ALEXANDER MASHINSKY, individually
and as an officer of Celsius Network Inc.,
Celsius Network LLC, Celsius Networks
Lending LLC, Celsius Lending LLC, Celsius
KeyFi LLC, Celsius Mining LLC, and Celsius
US Holding LLC;

SHLOMI DANIEL LEON, individually and
as an officer of Celsius Network Inc., Celsius
Network LLC, Celsius Networks Lending
LLC, Celsius Lending LLC, Celsius KeyFi
LLC, Celsius Mining LLC, Celsius US
Holding LLC; and

HANOCH “NUKE” GOLDSTEIN,
individually and as an officer of Celsius
Network LLC and Celsius Lending LLC,

Defendants.

Case No. 1:23-cv-06009-DLC

ORAL ARGUMENT REQUESTED

**NOTICE OF DEFENDANT S. DANIEL LEON’S
MOTION TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in

Support of Defendant S. Daniel Leon’s Motion to Dismiss the Complaint Pursuant to Federal

Rule of Civil Procedure 12(b)(6), the Declaration of Allison M. Wuertz, and exhibits thereto, Defendant S. Daniel Leon, by and through the undersigned counsel, hereby moves this Court, before the Honorable Denise L. Cote, District Judge for the U.S. District Court for the Southern District of New York, for an Order dismissing Plaintiff Federal Trade Commission's Complaint, ECF No. 1, against Defendant Leon in its entirety, with prejudice, pursuant to Federal Rule of Civil Procedure 12(b)(6), and such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that any opposition and reply papers shall be filed in accordance with the briefing schedule set forth in the Court's September 26, 2023 Order. *See* ECF No. 51.

Dated: October 11, 2023
 New York, New York

HOGAN LOVELLS US LLP

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